

Application ref: 2017/6129/P
Contact: David Fowler
Tel: 020 7974 2123
Date: 3 January 2019

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

KKR Planning & Design Ltd
Oasis Business Centres Ltd
468 Church Lane
Kingsbury
NW9 8UA

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
57 Fortess Road
London
NW5 1AD

Proposal:

Part change of use to ground floor and basement commercial unit (A1 use class) to residential (C3 use class), erection of lower ground floor side infill extension, second floor rear extension, dormer at rear roof level, alterations to the shop front. Proposal will result in 4 residential units (3 x 1 bed, 1 x 2 bed) and retained commercial unit.

Drawing Nos: OS map, Design & Access Statement October 217, P-01, P-02, P-03A, P-04, P-05, P-06 and P-07.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely

as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

OS map, Design & Access Statement October 217, P-01, P-02, P-03A, P-04, P-05, P-06 and P-07.

Reason: For the avoidance of doubt and in the interest of proper planning.

Informative(s):

- 1 Reasons for granting permission.

The existing property includes a commercial unit (A1 use class) at basement and ground, which has been partially converted (informally without planning permission) into residential space at the rear of the basement level. The first and second floor form a residential unit each. The proposal seeks to formally regularise create residential space at the rear of the basement and ground floor commercial unit and to add an extension at basement level in the side return, a second floor closet wing extension with terrace and a rear roof dormer. The resulting residential accommodation would be one commercial unit (over basement and ground floor 53.3m²) and four residential units (1 x 2 bedroom unit and 3x 1 bedroom units).

The basement level extension in the closet wing shall be 3.06m deep and 1.6m wide with a sloped roof which is 2.1m at the boundary and 3.4m where it meets the side elevation of the property. The rear elevation at basement level shall include four glazed bi-folding doors. An internal courtyard area (1.6m by 1.5m) is to be created adjacent to the original rear wall. The extension shall include a rooflight and be constructed in materials to match the main property. The second floor extension shall be constructed form brick to match and shall be 2.96m wide by 3.4m deep with a 2sqm terrace accessed via four bi-folding doors. There shall be a brick parapet wall 1.7m high with an inset 1m wide opaque glass panel around the terrace. The proposed roof level dormer shall be 2.5m wide by 0.9m high and shall project 1.9m from the roof. The dormer shall be constructed from lead cladding and shall include two windows in the rear elevation.

The property does not fall within a town centre or core frontage. The commercial unit shall be retained at basement and ground level albeit reduced in size. The unit is currently partly occupied and it is considered that the proposal would improve the space through internal renovations and still retain a viable commercial unit at 53.3m². Therefore, there is no objection to the reduced A1 unit floorspace.

- 2 Reason for granting permission (continued).

The infill extension will be a modestly sized addition retaining the lightwell area adjacent to the main building and being built in materials to match the main building. Within the terrace which the property is a part are examples of extensions at second floor level including a permission granted in October 2015 for a very similar development at 59 Fortess Road (extant), and existing extensions at this level at 61, 55, 51, 49 and 47 (only the subject property and number 53 do not have a second floor extension). It is therefore clear there is a precedence in the terrace. In terms of its form, scale and choice of material and alignment with the windows on the lower floors the second floor would match the existing building. The extensions are considered appropriate in the context of the host building and the terrace and the materials to match the existing building will allow sympathetic additions.

There are several terraces in the immediate vicinity. The proposed roof level terrace would not be visible from the public realm. With regard to the proposed rear dormer, there are several rear additions on the roof slopes within the terrace. The dormer is set in from the edges of the hipped roof by 500mm. The dormer would not be 500mm below the roof ridge due to internal head height constraints, however this is consistent with other dormers in the terrace. The proposal is not visible from the public realm and due to its position and detailed design it is considered that the proposal would not have a detrimental impact on the character of the building or the wider area.

The proposed units comply with the minimum overall size and individual bedroom size space standards. The flat on the basement and ground floor and the upper floor would have access to amenity space, however the first and second floor flats would not have outdoor amenity space due to the site constraints.

3 Reason for granting permission (continued).

The second storey extension would increase the height of the projecting wing; however it is not considered that it would have a detrimental impact on the existing neighbouring properties in particular with regard to loss of light. The extension at second floor would match the height at number 55 adjacent. Whilst the property to the rear (3 Fortess Yard) includes three windows facing the subject site, these windows are obscure glazed and non-openable (as part of a planning permission for the property 2011/3109/P). Therefore, there would be no impact on this property.

The brick parapet would prevent overlooking into neighbours properties. The basement level glazed areas (windows and doors) do not exceed the boundary wall and would therefore not cause loss of privacy.

The third and fourth units to be created shall be car-free and will have no entitlement to on street car-parking permits, secured via s106 legal agreement.

No objections were received prior to making this decision. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies H1, H6, A1, D1, T1 and T2 of the Camden Local Plan. The proposed development also accords with policies SW1 and D3 of the Kentish Town Neighbourhood Forum. The London Plan March 2016, and the National Planning Policy Framework 2012.

- 4 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 5 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 6 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

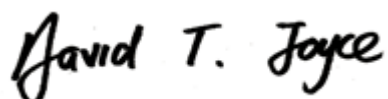
Please send CIL related documents or correspondence to

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2018.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce
Director of Regeneration and Planning